

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LAWRENCE O'TOOLE,)	
)	
PLAINTIFF,)	
)	
v.)	Civil Action No. 4:21-cv-00070
)	
CITY OF ST. LOUIS,)	
)	JURY TRIAL DEMANDED
ST. LOUIS METROPOLITAN)	
POLICE DEPARTMENT,)	
)	
CHIEF JOHN HAYDEN)	
In his official and individual capacity,)	
)	
JIMMIE EDWARDS)	
In his official and individual capacity,)	
)	
DEFENDANTS.)	

NOTICE OF REMOVAL TO FEDERAL COURT

Defendants City of St. Louis, The St. Louis Metropolitan Police Department ("SLMPD"), John Hayden, and Jimmie Edwards ("Defendants") notify this Court of the removal of *Lawrence O'Toole v. City of St. Louis, et al.*, Cause No. 2022-CC00880, from the 22nd Judicial Circuit Court of Missouri, to the U.S. District Court for the Eastern District of Missouri. As grounds for removal, Defendant states:

1. On May 1, 2020, Plaintiff Lawrence O'Toole ("Plaintiff") filed suit against Defendant City of St. Louis and the SLMPD in the 22nd Judicial Circuit Court of Missouri, in *O'Toole v. City of St. Louis, et al.*, Cause No. 2022-CC00880. Plaintiff's original Petition asserted claims under the Missouri Human Rights Act and did not assert any federal claims.
2. Plaintiff effected service on City and SLMPD on August 20, 2020.
3. Subsequently, on December 22, 2020, Plaintiff filed a Motion for Leave to file his First Amended Petition and a proposed First Amended Petition. The First Amended Petition alleges violations of Plaintiff's rights pursuant to Title VII of the Civil Rights Act, thus this Court has original jurisdiction under 28 U.S.C. § 1331.

4. On January 14, 2021, Defendants consented in writing to the amendment of the Petition.
5. City files this notice within thirty days after consenting to the First Amended Petition, making removal timely under 28 U.S.C. § 1446(b) and *Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 354-355 (1999).
6. Pursuant to Local Rule 2.03, a copy of all process, pleadings, orders and other documents on file in state court are attached as Exhibit A.
7. Venue is proper in this District under 28 U.S.C. § 1441(a), because this District and Division embrace the place in which the removed action has been pending.
8. City concurrently submits the filing fee in the amount of \$400.00 and the proof of filing the notice of removal with the Clerk and State court.

WHEREFORE, Defendants petition this Court for removal of *O'Toole v. City of St. Louis*, Cause No. 2022-CC00880, from the 22nd Judicial Circuit Court of Missouri, to this Court for all further proceedings.

Respectfully submitted,

MICHAEL GARVIN
CITY COUNSELOR

/s/ Korey Lewis

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify this Notice was electronically filed with the Court for service on January 19, 2021.

/s/ Korey Lewis